



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this Response to Office Action is being deposited with the United States Postal Service on the date indicated below with sufficient postage as First class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Donald G. Lewis  
Donald G. Lewis, Reg. 28,636

Sept 5, 2003  
Date of Deposit

RECEIVED

SEP 12 2003

TECH CENTER 1600/2900

Title: HIV Protease Inhibitors  
Inventors: Wong, Chi-Huey, et al.  
Filed: July 9, 1999  
Serial No.: 09/077,712  
Examiner: Meller, Michael V.  
Art Unit: 1654

Response to Office Action

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action, mail dated 03/05/2003, please consider the following Remarks:

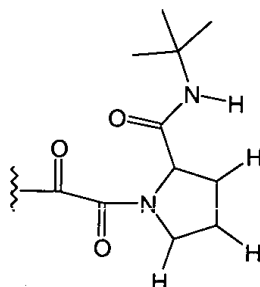
**Remarks**

Rejection under 35 USC 102(a):

Claims 19-26 are rejected as anticipated by the Slee reference under 35 USC 102(a). Applicant traverses this basis of rejection. Enclosed herewith is a 131 Declaration by the inventor, Dr. Chi-Huey Wong swearing around the Slee reference. The enclosed Declaration obviates the rejection of Claims 19-26 over Slee.

Rejection under 35 USC 102(b):

Claims 19-26 are rejected as anticipated by references by Tam or by Waller under 35 USC 102(b). Applicant traverses this basis of rejection. Both Tam and Waller disclose HIV protease inhibitors employing the following structure:



Claim 19 includes a proviso that R<sup>1</sup>, R<sup>2</sup>, and R<sup>3</sup> cannot all be hydrogen. The proviso of Claim 19 distinguishes Claims 19-22 over the compounds disclosed by Tam and Waller. The above structure disclosed by Tam and Waller is not covered by Claims 23-26.

Summary:

The Inventor's 131 Declaration swears around and obviates the reference by Slee. The proviso of Claim 19 and structural distinctions in Claim 23 obviate the references by Tam and Waller. Withdrawal of the anticipation rejection and allowance of Claims 19-26 is respectfully requested.

Respectfully submitted,

Re U2

Donald G. Lewis  
Reg. No. 28,636  
The Scripps Research Institute  
10550 N. Torrey Pines Road TPC-8  
San Diego, CA 92037  
September 5, 2003  
(858) 784-2937